

REMARKS

Claims 1 – 5, 7 – 13 and 15 – 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Gilling (US 5,749,426 A).

Independent claims 1, 9 and 17 have been amended to more clearly distinguish over the art of record. By way of example, claim 1 now recites: *A method for providing close range truck detection ... comprising: **measuring an initial range from a motor vehicle to a target located in front of said motor vehicle; measuring an initial range rate between the motor vehicle and the target; determining whether the initial range rate between the motor vehicle and the target is appositive value exceeding a predetermined rate; subsequently measuring a current range from the motor vehicle to the target; measuring a current range rate between the motor vehicle and the target; determining whether the initial range to the target is less than a current range to the target when the range rate to the target remains above the predetermined rate; and providing a downwardly stepped range adjustment when the initial range to the target is less than the current range to the target and the range rate remains above the predetermined rate...***. Claims 9 and 17 have been similarly amended.

The present invention specifies that the range and range rates are each directly measured. The Gilling device makes a single measurement and employs prediction mode which calculates the other factor based upon a predetermined formula. Furthermore, Gilling does not contemplate a system for anticipating and dealing with incongruous inputs such as successive range readings suggesting the vehicle and target are moving apart while the range rate (closure rate) suggests that they are moving toward one another. Lastly, the range adjustment of the present invention is a fixed increment, based upon typical offsets

between trailer body and axle reflective surfaces. The residual range factor of Gilling is a variable.

Thus amended, each of the independent claims is clearly distinguishable from Gilling.

Dependent claims 2 – 5, 7 – 8, 10 – 13, 15 – 16 and 18 – 19 depend, directly or indirectly, from an otherwise allowable amended independent claims.

Accordingly, in view of the amendments, it is requested that the rejection be withdrawn.

Claims 6, 14, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilling in view of Labuhn et al. (US 6,622,810 B2).

Claims 6, 14, 20 and 21 depend, directly or indirectly, from one of the above describer independent claims, and are thus deemed to be allowable for the same reasons.

Accordingly, it is requested that the rejection be withdrawn.

Conclusion


Applicant believes, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the telephone number provided.

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The commissioner is hereby authorized to charge any fees associated with this communication and/or credit any overpayments to Deposit Account No.: 50-0831.

Respectfully submitted,



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